

THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

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THE STANDARD FIRE INSURANCE COMPANY  
a/s/o ALBERT W. HESSE, JR.,  
Plaintiff,

2:16-CV-06585-LDW-SIL  
AFFIDAVIT IN SUPPORT  
ORDER TO SHOW CAUSE  
REOPEN CASE  
DISMISS LACK OF JURISDICTION

- against -

SENIX MARINE LLC,  
Defendant.

-----X  
STATE OF NEW YORK ) ss.  
COUNTY OF SUFFOLK )

DALE ROBERT JAVINO, being duly sworn , deposes and says

I am the sole owner of Senix Marine LLC and submit this affidavit in support of my instant order to show cause in lieu of a miscarriage of justice that Raneë Denton and her attorney's have stolen the identity of the defendant limited liability company and answered the complaint without authority and or standing whatsoever and without my knowledge and or consent.

**Preliminary Statement**

On or about January to April 2014 I filed two limited liability Companies Senix Acquisitions LLC and Senix Marine LLC both as single owner companies ( see exhibit A Suffolk County Supreme Court reply brief) . On or about May 14, 2014 Raneë Denton bought into one of my LLC Senix Acquisitions LLC by pledging one million dollars as a deposit to purchase the lands of 50 Senix Avenue, Center Moriches from owner Fredrick Rose. The closing has taken place on May 20, 2014.

### **Preliminary Injunction Senix Acquisitions LLC**

On or about January 2015 Ranee Denton Filed a preliminary injunction and Summons and Complaint in the Suffolk County Supreme Court restraining myself of interfering with Senix Acquisitions. She did this without informing the presiding Judge Hon Paul Baisley Jr about this matter with Albert W Hesse Jr's unauthorized launching and subsequent sinking of his 33 foot Yacht by Ranee Denton. And without this damaging information to her creditability Hon Paul Baisley Jr granted her the preliminary injunction assuming she was the better candidate and the fact she put up one million dollars . ( please see exhibit B is Baisleys Injunction order dated April 14, 2016) .

### **Court lacks Jurisdiction improper service**

On or about September to October 2016 Plaintiff in this matter filed and served the summons and complaint to Ranee Denton and her secretary one Rita Dibella never told myself or anyone not even Judge Baisley Jr about this Federal lawsuit. Her attorney's in the Supreme Court action deny that the law suit even exists when in fact he absolutely had knowledge and he is an ex New York Bar Vice President and an ex Suffolk County Bar President. Please note: Rita Dibella is not a managing agent of Senix Marine LLC I never hired her or even know her. Ranee Denton has no standing or authority over Senix Marine LLC. Thus the complaint was answered by a person of no standing or authority making it defective.

If you review the exhibits attached they clearly show that Dale Robert Javino myself is the absolute owner of Senix Marine LLC and the fact that I was purposely kept from 50 Senix

Avenue the business address of Senix Marine LLC by a misleading law suit and frivolous preliminary injunction this Court can simply see that the owner was never served the Summons and Complaint . I submit that I knew nothing ( emphasis added) of the unauthorized launching and sinking of Albert W Hesse Jr's 33 foot vessel and or the service of this summons and complaint. I was never given anything by Rane Denton and her attorney's. Her own attorney Craig Purcell Esq. even deny's any knowledge of the Summons and Complaint no less the Federal law Suit at all.

When I learned of this law suit on Pacer which is the Federal Website I wrote a correspondence to the attorney's for Rane Denton which was dated February 19, 2018 (see exhibit C letter to attorney Purcell) and carbon copied this honorable Court which returned the copy to myself assuming it was sent to the Federal Court in error.

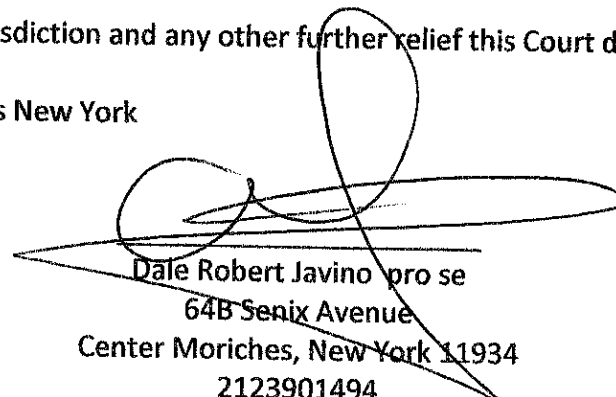
On March 19, 2018 I wrote a letter directly to this Honorable Court ( see exhibit D) explaining the matter that I object to these proceedings in lieu of having no knowledge of it whatsoever and that my reputation in the Marine business would be jeopardized in lieu of someone else's ignorant incompetent conduct of not informing the owner of a vessel and launch it then consequently the vessel sinks, to then stipulate to a settlement would absolutely make myself deemed bad business and risk losing a good reputation in the marine industry. The correspondence to this Court was returned again as it stated that I am represented by an attorney when in fact I am not and which now have brought me to file this Instant Order to Show cause. ( see exhibit E Federal clerk blanket correspondence) .

**In Conclusion**

Based on the clear convincing evidence Judge Baisley Jr only placed an injunction on Senix Acquisitions LLC no where in his order does it mention Senix Marina or Senix Marine LLC the owner of Senix Marine LLC was never served the Summon and Complaint and the Court lacks jurisdiction over the matter and any pleading or stipulation must be set aside and vacated and or dismissed as a matter of law.

**WHEREFORE** Dale Robert Javino sole owner of Senix Marine LLC pray that this Honorable Court reopen this case, set aside or vacate the stipulated settlement as defective and dismiss the action for lack of jurisdiction and any other further relief this Court deems just and proper.

Dated: Center Moriches New York  
May 14, 2018



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